

Wetlands Applications Decision Report

Decisions Taken
07/10/2017 to 07/16/2017

9/18/17
Approved
MAT

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or atappeals@des.nh.gov. The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

MAJOR IMPACT PROJECT

2006-01209

BEAVER BROOK DEVELOPMENT OF HOOKSETT LLC

HOOKSETT Unnamed Wetland

Requested Action:

Request permit name change to: Stinson Hills LLC; c/o Robert LaMontagne; 317 South River Rd.; Bedford, NH 03110 Dredge 52,760 sq.ft. of emergent and palustrine wetland in the subdivision of 139.26 acres into a 91 lot subdivision. Place 24.94 acres of property into conservation easement to be held by the Hooksett Conservation Commission.

APPROVE NAME CHANGE

Dredge 52,760 sq.ft. of emergent and palustrine wetland in the subdivision of 139.26 acres into a 91 lot subdivision. Place 24.94 acres of property into conservation easement to be held by the Hooksett Conservation Commission.

With Conditions:

1. All work shall be in accordance with plans by Keach-Nordstrom Associates Inc. dated April 2006, as received by DES on September 21, 2007.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. Proper headwalls shall be constructed within seven days of culvert installation.
5. This permit shall not be effective until it has been recorded with the Merrimack County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. Silt fencing must be removed once the area is stabilized.
12. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
13. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
14. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
15. Work shall be done during low flow.
16. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to restoration.

Wetlands Mitigation:

17. In accordance with the provisions of the Conservation Easement and Homeowner's Declaration documents the Fish and Game Department shall be afforded access to all designated "Open Space areas" and work with the Homeowner's Association in the development of a Habitat management program only if Fish and Game so chooses to take advantage of this provision. Creation of a habitat management area shall not be mandated without the participation of NH Fish and Game.

07/10/2017 to 07/16/2017

18. Striken
19. This permit is contingent upon the execution of a conservation easement on 24.94 acres as depicted on plans received September 21, 2007.
20. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
21. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
22. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
23. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
24. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

TEMPORARY IMPACT APPROVAL CONDITIONS

25. Area of temporary impact shall be regraded to original contours following completion of work.
26. All material removed during work activities shall be removed down to the level of the original hydric soils.
27. All material removed during work activities shall be placed out of DES's jurisdiction.
28. Mulch within the restoration area shall be straw.
29. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
30. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02 (b).

2015-03105

**NASHUA, CITY OF
BEAZER EAST INC**

NASHUA MERRIMACK RIVER

Requested Action:

Agent requests an amendment to the permit for additional sediment removal to include an additional dredge of 2,938 square feet (sq. ft.) and 2,649 sq. ft. of temporary impact.

APPROVE AMENDMENT

Impact a total of 42,953 square feet (sq. ft.) of jurisdictional area to include dredging 36,691 sq. ft. of the Merrimack River bed, 5,364 sq. ft. of Merrimack River bank along 880 linear feet, and temporarily impact 6,262 sq. ft. of the Merrimack River for the environmental remediation of the Former Koppers Wood Treating Site. Compensatory mitigation for the bank impacts involves a one-time payment of \$211,200.00 into the Aquatic Resource Mitigation Fund.

With Conditions:

1. All work shall be in accordance with the following plans by Key Environmental, Inc.:
 - a.) Dated 10/13/15, and revised through 11-05-15 and 11-09-15 as received by the NH Department of Environmental Services (DES) on November 18, 2015.
 - b.) Dated and revised through 6/20/17 as received by DES on June 23, 2017.
2. All work shall occur in accordance with the Remedial Action Plan approved by DES Hazardous Waste Remediation Bureau.
3. This approval is not valid until DES receives a one-time payment of \$211,200.00 to the DES Aquatic Resource Mitigation (ARM) Fund. The applicant shall remit payment to DES. If DES does not receive payment within 120 days of the date of this

07/10/2017 to 07/16/2017

approval letter, DES will deny the application.

4. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
5. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
6. The permittee shall schedule a pre-construction meeting with DES Land Resources Management Program staff to occur at least 48 hours prior to the start of any work authorized by this permit to review the conditions of this wetlands permit and the Alteration of Terrain permit. The meeting may be held on-site or at the DES offices in Concord or the Pease International Tradeport. The meeting shall be attended by the permittee, the professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. No in-river work shall occur between May 1 to July 1 unless a waiver of this condition is issued in writing by DES in consultation with NH Fish & Game.
8. All in-river work shall be conducted in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or NH Code Admin. Rules Env-Wq 1700.
9. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
10. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
11. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
12. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
14. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
15. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Mulch used within the wetland restoration areas shall be natural straw or equivalent non-toxic, non-seed-bearing organic material.
17. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
18. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.
19. The permittee/permittee's contractor shall regrade temporary impacts to pre-construction conditions and plant native species similar to those within the wetland prior to impact. The permittee shall implement corrective measure promptly if needed to ensure the plantings survive.
20. Areas from which vegetation has been cleared to gain access to the site shall be replanted with similar native species.
21. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland restoration/enhancement/creation site. The potential for the establishment of the invasive species must be considered in other areas where spoils may be spread to limit any further establishment.
22. In September of the first growing season, the permittee shall notify the DES Wetlands Program in writing of the certified wetlands scientist or qualified professional, as applicable, who will be responsible for monitoring and ensuring that the restoration/enhancement/construction areas are constructed in accordance with the approved plans. The permittee shall re-notify the DES Wetlands Program if the identity of the individual changes during the project.
23. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The permittee shall submit the receipt for and a list of the contents of the wetland mix to the DES Wetlands Program within 10 days of application.
24. A post-construction report, prepared by a Certified Wetland Scientist documenting the status of the project area and restored jurisdictional area or buffer, including photographs, shall be submitted to the DES Wetlands Program within 60 days of the completion of restoration. DES Wetlands Program may require subsequent monitoring and corrective measures if DES deemed the area inadequately stabilized or restored.
25. Subsequent monitoring reports shall be submitted to DES following the first July following completion of the restoration and the following July thereafter to document the success of the restoration and outline a schedule for remedial actions if necessary. Such reports shall be submitted to DES with photographs demonstrating the conditions on the restoration site, include any necessary remedial actions, and contain a schedule for completing the remedial actions and conducting follow up

07/10/2017 to 07/16/2017

inspections.

26. The river banks and buffer plantings shall have at least 75% successful establishment after two (2) growing seasons. If it does not, it shall be replanted and re-established in a manner satisfactory to DES.

27. Restoration of temporary impact areas shall not be considered successful if sites are invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction. The permittee shall submit a remediation plan to DES that proposes measures to be taken to eradicate nuisance species during this same period.

With Findings:

1. Beazer East, Inc. (Beazer) implemented a Remedial Action Plan (RAP) developed in accordance with a Consent Decree (Docket No. 04-E-0151) between Beazer and the New Hampshire Department of Environmental Services (DES). The site is identified as DES No. 198708017 Project No. 346.

2. On September 5, 2013, DES Hazardous Waste Remediation Bureau approved the RAP.

3. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.

4. The impacts are necessary to comply with the Consent Decree and RAP; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

5. The applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

7. The detailed engineering plans accurately locate the boundary of the wetlands and prime wetlands.

8. The erosion controls and stabilization methods will protect the ability of the wetlands to retain floodwaters and silt.

9. The applicant has adequately addressed Env-Wt 404.04.

10. The applicant has coordinated with NHFG to avoid impacts to river herring and American shad.

11. The Nashua Conservation Commission and Lower Merrimack River Local Advisory Committee raised concerns with respect to compensatory mitigation. DES finds that the applicant had adequately addressed the mitigation requirements in accordance with Env-Wt 800.

12. Based on findings above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

13. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of this Riverine, Lower Perennial wetland ecosystem.

14. Pursuant to RSA 482-A:3 XIV (e), This meaning of "significant amendment" shall not apply to an application amendment that is in response to a request from the department in accordance with the aforementioned consent decree.

2017-00982

LAPORTE, ANN

CENTER HARBOR SQUAM LAKE

Requested Action:

Install a 6 ft. x 40 ft. seasonal pier to be connected to an existing 6 ft. x 40 ft. seasonal pier by a 6 ft. x 12 ft. walkway access by a 6 ft. x 6 ft. ramp over the bank and install a separate 6 ft. x 30 ft. seasonal pier accessed by a 6 ft. x 6 ft. ramp on an average of 815 feet of frontage along Squam Lake in Center Harbor.

Conservation Commission/Staff Comments:

4/20/17 as per DHR No Historic Properties Affected.

APPROVE PERMIT

Install a 6 ft. x 40 ft. seasonal pier to be connected to an existing 6 ft. x 40 ft. seasonal pier by a 6 ft. x 12 ft. walkway access by a 6 ft. x 6 ft. ramp over the bank and install a separate 6 ft. x 30 ft. seasonal pier accessed by a 6 ft. x 6 ft. ramp on an average of 815 feet of frontage along Squam Lake in Center Harbor.

With Conditions:

1. All work shall be in accordance with revised plans by Don T. Carey dated July 11, 2017, as received by DES on July 12, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. This permit does not authorize the removal of trees or saplings within the waterfront buffer.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
8. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures, including the breakwater toe of slope, shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
9. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation (Elev. 562.5).
10. All seasonal structures shall be removed for the non-boating season.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(d), construction of docking facilities providing 5 or more slips.
 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
 5. The applicant has an average of 815 feet of shoreline frontage along Squam Lake.
 6. A maximum of 11 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
 7. The proposed docking facility will provide 5 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
 8. The Department finds that because the project is not of significant public interest and will not significantly impair the resources of Squam Lake public hearing under RSA 482-A:8 is not required.
- Send to Governor and Executive Council-

2017-01152

PICUCCI, KEVIN

SEABROOK ATLANTIC OCEAN

Requested Action:

Impact 2,026 square feet (sq. ft.) of sand dune for the relocation of paths through the sand dune, construction of a retaining wall, and restoration of 2,313 sq. ft. of disturbed dune areas with native dune vegetation for a 287 sq. ft. net increase of sand dune.

APPROVE PERMIT

Impact 2,026 square feet (sq. ft.) of sand dune for the relocation of paths through the sand dune, construction of a retaining wall, and restoration of 2,313 sq. ft. of disturbed dune areas with native dune vegetation for a 287 sq. ft. net increase of sand dune.

07/10/2017 to 07/16/2017

With Conditions:

1. All work shall be in accordance with plans by Millennium Engineering, Inc. dated September 2, 2016, as received by the NH Department of Environmental Services (DES) on April 25, 2017.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall notify the DES Wetlands Program and the Seabrook Conservation Commission in writing of the date on which work under this permit is expected to start.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
5. This project shall not disturb any sand dune vegetation listed as a threatened or endangered species by the NH Natural Heritage Bureau.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. Any American Beachgrass (*Ammophila breviligulata*) disturbed by this project shall be removed and replanted elsewhere on site according to approved plan.
8. Only indigenous native plant species shall be planted on this site.
9. No non-native ornamental plants shall be introduced to or used on this site.
10. This project shall not disturb any sand dune vegetation growing on adjacent properties outside the scope of the approved plan.
11. A post-construction report, prepared by a Certified Wetland Scientist (CWS) or Qualified Professional, as applicable, documenting status of the project area and restored jurisdictional sand dune, including photographs, shall be submitted to the DES Wetlands Program and the NH Natural Heritage Bureau (NHB) within 60 days of the completion of construction. DES Wetlands Program may require subsequent monitoring and corrective measures if DES deemed the area inadequately stabilized or restored.
12. The permittee or permittee's CWS shall conduct a follow-up inspection in October or November following the first and second growing seasons to review the success of the restoration area and schedule remedial actions if necessary.
13. Restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Program and NHB.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(a) Projects in sand dunes, tidal wetlands, or bogs, except for repair of existing structures pursuant to Env-Wt 303.04(v).
2. The impacts are necessary to relocate the paths as the owner has had constant issues with the public trespassing on to their property and using their property for illegal activities. This activity is generally a liability and safety issue. Therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. Review of aerial photography from 2005 through 2016 revealed the dune has migrated easterly towards the Atlantic Ocean approximately 160 feet while the dune path remained and had been continually used by pedestrian traffic. The trail relocation and restoration will have a net increase of 287 square feet of sand dune; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Pursuant to Env-Wt 304.04(a), the applicant received written concurrence from the abutters whose property is within 20-feet of the proposed impacts.
6. A memo from the NH Natural Heritage Bureau (NHB) NHB17-0493 (the "Memo") identified several natural communities, State-endangered or threatened plant species in the vicinity of the proposed impacts as well as the State-endangered and Federally-threatened Piping Plover (*Charadrius melodus*).
7. The NH Fish and Game Dept., Nongame and Endangered Wildlife Program (NHFG) has reviewed NHB17-0493 and stated via email, "Why they can't share a single trail and as they are planning construction in the off-season there really isn't an issue for the plovers."
8. NHB "would prefer a shared/collocated path and is also in support of revegetating any areas currently disturbed. At a minimum, the revegetated area should equal (preferably exceed) the total area of new disturbance."
9. To further clarify the project and concerns raised by NHFG and NHB, DES finds the restoration plantings will be a net increase of sand dune vegetation. The restored areas on private property will curb disturbances by trespassers and allow for the area to naturalize pursuant to RSA 482-A:3 VII. Work will occur in the fall so as to not interfere with nesting plovers.
10. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the sand dune resource, as identified under RSA 482-A:1.

07/10/2017 to 07/16/2017

2017-01303

DUGAN, JAMES

TUFTONBORO LAKE WINNIPESAUKEE

Requested Action:

Construct two 7 ft. x 2 ft. concrete pads, relocate a 6 ft. x 30 ft. seasonal pier and install two 6 ft. x 40 ft. seasonal piers connected by a 6 ft. x 12 ft. walkway in a "U" configuration, a 12 ft. x 32 ft. seasonal canopy, and three seasonal boatlifts on an average of 469 feet of frontage along Lake Winnepesaukee, on Cow Island, in Tuftonboro.

Conservation Commission/Staff Comments:

5/8/17 Con. Com. defers decision to NHDES. No site visit was made.

APPROVE PERMIT

Construct two 7 ft. x 2 ft. concrete pads, relocate a 6 ft. x 30 ft. seasonal pier and install two 6 ft. x 40 ft. seasonal piers connected by a 6 ft. x 12 ft. walkway in a "U" configuration, a 12 ft. x 32 ft. seasonal canopy, and three seasonal boatlifts on an average of 469 feet of frontage along Lake Winnepesaukee, on Cow Island, in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Diversified Marine Construction dated April 17, 2017, as received by DES on May 9, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. This permit does not authorize the removal of trees or saplings within the waterfront buffer.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
8. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
9. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
10. No portion of the docking structures shall extend more than 40 feet from the shoreline at full lake elevation (Elev. 504.32).
11. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.
12. The canopy, including the support frame and cover, shall be designed and constructed to be readily removed at the end of the boating season and the flexible canopy shall be removed for the non-boating season.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a docking facility providing 5 or more slips.
2. The applicant has an average of 469 feet of frontage along Lake Winnepesaukee.
3. A maximum of 7 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 5 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
5. The existing docking structure was installed under previous Wetland Permit #2000-00947.
6. The Department finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnepesaukee a public hearing under RSA 482-A:8 is not required.

07/10/2017 to 07/16/2017

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2012-02322

WINNISHORE ASSOCIATION INC

TUFTONBORO LAKE WINNIPESAUKEE

Requested Action:

Request permit time extension.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE TIME EXTENSION

Repair an existing docking facility consisting of a 4 ft. x 69 ft. piling supported walkway with three pairs of 2 ft. x 20 ft. finger piers extending from an "L" shaped crib dock consisting of a 12 ft. x 42 ft. section accessed by a 12 ft. x 52 ft. walkway with a single 2 ft. x 20 ft. finger pier. Replace 6 tie off pilings, drive 6 additional tie-off pilings, replace two 3-piling ice clusters, and retain a third 3-piling cluster on an average of 230 ft of frontage along Lake Winnepesaukee, in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction as revised September 20, 2012, as received by the NH Department of Environmental Services (DES) on September 21, 2012.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
4. The repairs shall maintain the size, location and configuration of the pre-existing structures.
5. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
6. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

2017-00960

CITY OF LACONIA

LACONIA OPECHEE BAY

Requested Action:

Dredge and fill approximately 456 square feet of the bed and bank of Lake Opechee for the purpose of reinforcing an existing stormwater outlet and installing a new 30 inch stormwater drainpipe and outlet.

Conservation Commission/Staff Comments:

6-6-17 - No historic properties affected per DHR.

APPROVE PERMIT

Dredge and fill approximately 456 square feet of the bed and bank of Lake Opechee for the purpose of reinforcing an existing stormwater outlet and installing a new 30 inch stormwater drainpipe and outlet.

With Conditions:

1. All work shall be in accordance with plans submitted by City of Laconia Assistant Director of Public Works, Luke Powell, and received by the New Hampshire Department of Environmental Services (DES) on April 7, 2017.
2. If, at any time, hazardous waste materials are encountered during the project, the permittee shall immediately contact the NHDES Waste Management Division to coordinate removal and remediation efforts.
3. All development activities associated with this project shall be conducted in compliance with shoreland permit 2017-01844 and all other applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
4. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. The Contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands.
13. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

With Findings:

1. This is a Minor impact project per Env-Wt 303.03(a), projects in any bank, flat, marsh, or swamp or in and adjacent to any waters of the state.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The proposed project is necessary to alleviate flooding on a privately owned parcel of land and to provide an opportunity to treat the stormwater by conveying the stormwater to a water quality unit on City owned property.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. This proposal proposes a greater environmental outcome as the existing outfall will be improved with greater scour protections and the redirected stormwater will be treated.
4. The City of Laconia Conservation Commission has not commented on this project proposal.
5. The NH Natural Heritage Bureau database indicated no recorded occurrences for sensitive species near this project area

07/10/2017 to 07/16/2017

per letter dated March 16, 2017.

6. Per a correspondence on June 6, 2017, DHR indicates there are no historic buildings of concern.

2017-01330

STOLBERG, THOMAS

SUNAPEE PERKIN'S POND

Requested Action:

Install a 6 ft. x 20 ft. seasonal pier and a 6 ft. x 26 ft. seasonal pier to be connected by a 6 ft. x 10 ft. walkway in an "h" configuration anchored to an existing 8 ft. x 4 ft. concrete pad on an average of 205 feet of frontage along Perkins Pond in Sunapee.

APPROVE PERMIT

Install a 6 ft. x 20 ft. seasonal pier and a 6 ft. x 26 ft. seasonal pier to be connected by a 6 ft. x 10 ft. walkway in an "h" configuration anchored to an existing 8 ft. x 4 ft. concrete pad on an average of 205 feet of frontage along Perkins Pond in Sunapee.

With Conditions:

1. All work shall be in accordance with revised plans by Central Lakes Dock dated July 14, 2017, as received by DES on July 14, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
6. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures, including the breakwater toe of slope, shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
7. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation (Elev. 1082.0).
8. All seasonal structures shall be removed for the non-boating season.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a 3 slips docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 205 feet of shoreline frontage along Perkins Pond.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2017-01977

CAMP NEOSHO TRUST, C/O MELLISA FULLERTON

GILFORD LAKE WINNIPESAUKEE

07/10/2017 to 07/16/2017

Requested Action:

Removal of an existing permanent 4 ft. X 40 ft. piling dock and replacing it with a 6 ft. X 40 ft. seasonal lift dock on frontage along Lake Winnepesaukee in Gilford.

Conservation Commission/Staff Comments:

7/14/17: File number to remain; changed to a Standard Wetlands Permit; Agent will send in new form

PBN DISQUALIFIED

Removal of an existing permanent 4 ft. X 40 ft. piling dock and replacing it with a 6 ft. X 40 ft. seasonal lift dock on frontage along Lake Winnepesaukee in Gilford.

With Findings:

1. The plans by Dean M. Clark, of DMC Surveyors, Gilford, NH dated 06/20/17 and as received by the NH Department of Environmental Services (DES) on 07/06/17 show the removal of a permanent piling dock structure and the installation of a seasonal lift dock structure.
2. Pursuant to Rule Env-Wt 506.01, Projects Qualifying for Permit by Notification (PBN),(a) (1), the construction or modification of a seasonal pier or wharf that meets the criteria in Env-Wt 303.04(a) shall qualify for the PBN process.
3. Rule Env-Wt 303.04(a) is limited to the construction or modification of a seasonal pier or wharf if no more than 2 slips, including previously existing slips, are proposed, and all criteria of Env-Wt 402 are met.
4. The project is disqualified as the project includes the removal of the permanent piling dock structure and does not meet Rule Env-Wt 303.04(a) and thus does not qualify under Rule Env-Wt 506.01(a) for a PBN.

MINIMUM IMPACT PROJECT

2017-00343

MASHOP DEVELOPMENT

WINDHAM

Requested Action:

Impact a total of 1,721 square feet (sq. ft.) of scrub-shrub wetland to include 557 sq. ft. of permanent impact for the expansion of an existing parking lot and 1,164 sq. ft. of temporary impact for the installation of a 6-inch water main for fire suppression to the existing building.

APPROVE PERMIT

Impact a total of 1,721 square feet (sq. ft.) of scrub-shrub wetland to include 557 sq. ft. of permanent impact for the expansion of an existing parking lot and 1,164 sq. ft. of temporary impact for the installation of a 6-inch water main for fire suppression to the existing building.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Herbert Associates Inc. dated January 2017 and revised 4-25-17 as received by the NH Department of Environmental Services (NHDES) on May 23, 2017.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
3. Work shall be done during low flow and in the dry only.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.

07/10/2017 to 07/16/2017

5. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
6. Area of temporary impact shall be regraded to original contours following completion of work.
7. The permittee/permittee's contractor shall regrade temporary impacts to preconstruction conditions and plant native species similar to those within the wetland prior to impact. The permittee shall implement corrective measure promptly if needed to ensure the plantings survive.
8. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
9. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant;
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Pursuant to Env-Wt 304.04(a), the applicant received written concurrence from the abutter whose property is within 20-feet of the proposed impacts.
6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

2017-01101

BOHAN, JOHN

GOFFSTOWN PISCATAQUOG RIVER

Requested Action:

Installation of a seasonal pier not to exceed 4 ft. X 23 ft. from a hinged wood access walkway not to exceed 3 ft. X 12 ft. on frontage along the Piscataquog River in Goffstown.

APPROVE PERMIT

Installation of a seasonal pier not to exceed 4 ft. X 23 ft. from a hinged wood access walkway not to exceed 3 ft. X 12 ft. on frontage along the Piscataquog River in Goffstown.

With Conditions:

1. All work shall be in accordance with plans by John Bohan and received by the NH Department of Environmental Services (DES) on May 5, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
5. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning

07/10/2017 to 07/16/2017

seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.

6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
7. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
8. No portion of the pier shall extend more than 27 feet from the shoreline at full lake elevation (Elev. 1445).
9. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), for the construction of a seasonal pier where no more than 2 slips, including previously existing slips, have been proposed.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

EXPEDITED MINIMUM

2014-02202

ROBERT PATTEN REVOCABLE TRUST

RYE SEAVEY CREEK

Requested Action:

Impact 4,655 square feet within the previously-developed 100-foot tidal buffer zone for the demolition of the existing residential dwelling and garage for the replacement and construction of a new residential dwelling and attached garage.

Conservation Commission/Staff Comments:

8/8/14 Per DHR, no historic properties affected.

APPROVE NAME CHANGE

Impact 4,655 square feet within the previously-developed 100-foot tidal buffer zone for the demolition of the existing residential dwelling and garage for the replacement and construction of a new residential dwelling and attached garage.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated May 2017 and revised 5/12/17 as received by the NH Department of Environmental Services (DES) on June 5, 2017.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall notify the DES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
4. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
5. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03, respectively.
2. The impacts are necessary for the demolition of the existing dwelling and construction of a new dwelling; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts will occur entirely within the previous-developed upland tidal buffer zone; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The Rye Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

2017-01737

PERSIMMON HOMES LLC

STRATHAM

Requested Action:

Dredge and fill 650 square feet of forested wetland for the installation of a 15-inch HDPE culvert and construction of a driveway for access to buildable uplands on a single family residential lot of 9.03 acres as part of a 2-lot subdivision of 14.58 acres.

APPROVE PERMIT

Dredge and fill 650 square feet of forested wetland for the installation of a 15-inch HDPE culvert and construction of a driveway for access to buildable uplands on a single family residential lot of 9.03 acres as part of a 2-lot subdivision of 14.58 acres.

With Conditions:

1. All work shall be in accordance with the 'Topographic Subdivision Plan' (Sheet C2) by Jones & Beach Engineers, Inc. dated 5/8/17 and revised through 5/31/17 as received by the NH Department of Environmental Services (DES) on June 16, 2017.
2. This permit is not valid unless a septic system construction approval or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
5. Work shall be done during low flow and in the dry only.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
9. The culvert inlet and outlet must maintain the natural and a consistent elevation and not impede water flow.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
12. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

07/10/2017 to 07/16/2017

14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The impacts are necessary for access to buildable uplands; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The Stratham Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

2017-01782

FINCH, BARBARA

SANDOWN Unnamed Wetland

Requested Action:

Dredge and fill 272 square feet of forested wetland for the installation of two (2) 12-inch by 20-foot culverts for the construction of driveway for access to buildable upland for a single family dwelling on a residential lot of 1.54 acres.

APPROVE PERMIT

Dredge and fill 272 square feet of forested wetland for the installation of two (2) 12-inch by 20-foot culverts for the construction of driveway for access to buildable upland for a single family dwelling on a residential lot of 1.54 acres.

With Conditions:

1. All work shall be in accordance with the plan by James M. Lavelle, LLS dated April 10, 2017 and revised June 9, 2017 as received by the NH Department of Environmental Services (DES) on June 20, 2017.
2. This permit is not valid unless a septic system construction and subdivision approvals or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
5. Work shall be done during low flow and in the dry only.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
9. The culvert inlet and outlet must maintain the natural and a consistent elevation and not impede water flow.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
12. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

07/10/2017 to 07/16/2017

14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The impacts are necessary for access to buildable uplands; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The Sandown Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

2017-01790

SNOW III, HARRY

NEW LONDON

Requested Action:

Dredge and fill 435 square feet (SF) of palustrine forested wetland in order to install an 18-inch by 25-foot culvert to access upland area on a single-family residential lot.

APPROVE PERMIT

Dredge and fill 435 square feet (SF) of palustrine forested wetland in order to install an 18-inch by 25-foot culvert to access upland area on a single-family residential lot.

With Conditions:

1. All work shall be in accordance with plans by Blakeman Engineering Inc., dated April 06, 2017, as received by the NH Department of Environmental Services (DES) on June 21, 2017.
2. If any work associated with the project authorized by this permit will encroach on an abutter's property or occur within 20 feet of the property line, then prior to starting work the permittee shall (1) obtain temporary construction easements or other written agreements from the owner of the abutting property, and (2) submit a copy of each agreement to the DES Wetlands Program.
3. This permit is not valid unless a septic system construction approval or other compliance with RSA 485-A:29-44 and New Hampshire Administrative Rule Env-Wq 1000 is achieved.
4. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
5. No person shall collect, transport, import, export, move, buy, sell, distribute, propagate or transplant any living and viable portion of any plant, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01).
6. Work shall be done during low flow and in the dry only.
7. Upland and bank areas landward of the work area shall not be disturbed by regrading or filling.
8. Filter fabric shall be installed under the rip-rap.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. The channel at the culvert inlet and outlet must maintain the natural hydrology and not impede or accelerate flow.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

07/10/2017 to 07/16/2017

13. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3 -inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.
14. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
15. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
16. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
17. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
18. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
19. Erosion control products shall be installed per manufacturers recommended specifications.
20. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
21. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
22. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
23. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

With Findings:

1. This is a Minimum Impact Project per Administrative Rule Env-Wt 303.04(z), installation of a wetland crossing and associated fill to permit vehicular access to a single-family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has proposed to cross the wetland at the narrowest location. Impacts are unavoidable due to the fact that wetland system bisects the entire property frontage.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
6. No comments of concern have been received by DES from abutters or from local governing organizations.
7. The submitted Natural Heritage Bureau report (NHB17-0728) stated that there are currently "no recorded occurrences for sensitive species near this project area".

PERMIT BY NOTIFICATION

2017-01847

LONG FAMILY REAL ESTATE TRUST, WILLIAM/SARAH

WOLFEBORO WENTWORTH POND

Requested Action:

The installation of a seasonal crank up pier not to exceed 6 ft. X 40 ft. attached to a new 7 ft. X 4 ft. concrete hinge pad and a seasonal 12 ft. X 8 ft. boat lift on frontage along Lake Wentworth in Wolfeboro according to plans by Watermark Marine Construction dated June 6, 2017.

PBN IS COMPLETE

The installation of a seasonal crank up pier not to exceed 6 ft. X 40 ft. attached to a new 7 ft. X 4 ft. concrete hinge pad and a seasonal 12 ft. X 8 ft. boat lift on frontage along Lake Wentworth in Wolfeboro according to plans by Watermark Marine Construction dated June 6, 2017.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a).

2017-01974

HOOKSETT SEWER COMMISSION

HOOKSETT MERRIMACK RIVER

Requested Action:

Place riprap in an existing footprint to restore the scour protection at the Hooksett wastewater treatment facility outfall pipe.

PBN IS COMPLETE

Place riprap in an existing footprint to restore the scour protection at the Hooksett wastewater treatment facility outfall pipe.

2017-02016

PHYLLIS KOROPP CAMP TRUST

TUFTONBORO LAKE WINNIPESAUKEE

Requested Action:

Replace a 7 ft. x 24 ft. crib supporting an 8 ft. x 30 foot pier and remove an abandoned 6 ft. x 8 ft. concrete pad in accordance with plans by Ambrose Marine dated June 21, 2017 on an average of 306 feet of frontage along Lake Winnepesaukee in Tuftonboro.

PBN IS COMPLETE

Replace a 7 ft. x 24 ft. crib supporting an 8 ft. x 30 foot pier and remove an abandoned 6 ft. x 8 ft. concrete pad in accordance with plans by Ambrose Marine dated June 21, 2017 on an average of 306 feet of frontage along Lake Winnepesaukee in Tuftonboro.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v).

FORESTRY NOTIFICATION

2017-02004

KING, ANNA
MARK D VANCE LIVING TRUST

SWANZEY Unnamed Stream

Requested Action:

Swanzy, Tax Map 63, Lot 9

COMPLETE NOTIFICATION
Swanzy, Tax Map 63, Lot 9

2017-02006

KENNETT, ROBERT

EATON Unnamed Stream

Requested Action:

Tax Map # R5, Lot #s 5, 7 in Eaton

2017-02014

BAYROOT LLC

MILLSFIELD Unnamed Stream

Requested Action:

Tax Map # 1623, Lot # 14 in Millsfield

2017-02015

NEW ENGLAND FORESTRY FOUNDATION

SANBORNTON Unnamed Stream

COMPLETE NOTIFICATION
Sanbornton, Tax Map #15, Lot #78

2017-02039

SCHWAEGLER, BRUCE/SARAH

ORFORD Unnamed Stream

Requested Action:

Tax Map # 7-34, Lot # 3 in Orford

2017-02040 CHOCORUA LAKE CONSERVANCY

CHOCORUA Unnamed Stream

Requested Action:

Chocorua, Tax Map 402, Lot 3

2017-02045 SCHWAEGLER, BRUCE/SARAH

ORFORD Unnamed Stream

Requested Action:

Orford, Tax Map #7-32, Lot #27C

2017-02054 STATE OF NH DNCR

CHARLESTOWN Unnamed Stream

Requested Action:

Charlestown, Tax Map #224 and Lot #3

2017-02060 BORGES, FILOMENA

HILL Unnamed Stream

Requested Action:

Hill, Tax Map # R7, Lot # 19

COMPLETE NOTIFICATION

Hill, Tax Map # R7, Lot # 19

2017-02072 MADISON, TOWN OF

MADISON Unnamed Stream

Requested Action:

Madison, Tax Map #258, Lot #6

2017-02075

THE TAYLOR-BUCHET CONSERVATION TRUST

SANDWICH Unnamed Stream

Requested Action:

Sandwich, Tax Map # R18, Lot # 3

COMPLETE NOTIFICATION

Sandwich, Tax Map # R18, Lot # 3

2017-02076

PETIT, MICHELLE/THOMAS

PEMBROKE Unnamed Stream

Requested Action:

Pembroke, Tax Map #M264, Lot #65

2017-02078

HESELTON, GARY/LISA

STRAFFORD Unnamed Stream

Requested Action:

Strafford, Tax Map 10, Lot 1

TRAILS NOTIFICATION

2017-01990

NH DEPT OF RESOURCES & ECONOMIC DEV

JAFFREY Unnamed Stream

GOLD DREDGE

2017-02008

GRAY, ROBERT

(ALL TOWNS) Unnamed Stream

Requested Action:

Gold Dredge

APPROVE PERMIT

Gold Dredge

2017-02010

PHAIR, JEREMY

(ALL TOWNS) Unnamed Stream

Requested Action:

Gold Dredge

APPROVE PERMIT

Gold Dredge

LAKES-SEASONAL DOCK NOTIFICATION

2017-01985

GUERIN, DONALD

ORFORD UPPER BAKER POND

Requested Action:

Installation of a seasonal pier not to exceed 4 ft. X 30 ft. on frontage along Upper Baker Pond in Orford.

COMPLETE NOTIFICATION

Installation of a seasonal pier not to exceed 4 ft. X 30 ft. on frontage along Upper Baker Pond in Orford.

2017-02037

BROWN, LIN/RICHARD

SUNAPEE OTTER POND

Requested Action:

- 1) This project does not qualify for a Seasonal Dock Notification for Lakes and Ponds under RSA 482-A:3, IV-a(f).
- 2) Pursuant to Administrative Rules Env-Wt 402.03 (c) and 402.12, a property with less than 75 feet of water frontage, docks or piers shall be no longer than 4 ft. X 24 ft.

DISQUALIFY TRAIL/FORESTRY/DOCK NOTIFICATION

- 1) This project does not qualify for a Seasonal Dock Notification for Lakes and Ponds under RSA 482-A:3, IV-a(f).
- 2) Pursuant to Administrative Rules Env-Wt 402.03 (c) and 402.12, a property with less than 75 feet of water frontage, docks or piers shall be no longer than 4 ft. X 24 ft.

2017-02038

LYNCH, BARRETT

WOLFEBORO WENTWORTH LAKE

Requested Action:

Installation of a seasonal pier not to exceed 4 ft. X 31 ft. on frontage along Lake Wentworth in Wolfeboro.

COMPLETE NOTIFICATION

Installation of a seasonal pier not to exceed 4 ft. X 31 ft. on frontage along Lake Wentworth in Wolfeboro.

2017-02043

BOCCIA REALTY TRUST #2

HEBRON NEWFOUND LAKE

Requested Action:

Installation of a seasonal pier not to exceed 4 ft. X 40 ft. on frontage along Newfound Lake in Hebron.

COMPLETE NOTIFICATION

Installation of a seasonal pier not to exceed 4 ft. X 40 ft. on frontage along Newfound Lake in Hebron.

UTILITY NOTIFICATION

2017-02021

EVERSOURCE ENERGY

GILFORD Unnamed Wetland

Conservation Commission/Staff Comments:
See file 2017-00047 for fee amount.

EMERGENCY AUTHORIZATION

2017-01219

STUART R BAUDER LIVING REVOCABLE TRUST

GREENLAND GREAT BAY

Requested Action:

Emergency authorization requested on May 2, 2017 to temporarily impact approximately 105 square feet of previously-developed 100-foot tidal buffer zone to bury the existing over-head utility lines for a residential dwelling on Great Bay.

CONFIRM EMERGENCY AUTHORIZATION

Temporarily impact approximately 105 square feet of previously-developed 100-foot tidal buffer zone to bury the existing over-head utility lines for a residential dwelling on Great Bay.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated January 2006 and revised 5/3/17 as received by the NH Department of Environmental Services (DES) on May 11, 2017.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.

With Findings:

1. On May 2, 2017, DES issued a Emergency authorization to temporarily impact approximately 105 square feet of previously-developed 100-foot tidal buffer zone to bury the existing over-head utility lines for a residential dwelling on Great Bay.
2. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03, respectively;
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact

to areas and environments under the department's jurisdiction per Env-Wt 302.03.

5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

6. Review of the application submitted pursuant to the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

SHORELAND PERMIT

2017-00330

HAGGERTY, CHARLES F/MARJORIE E

PELHAM LITTLE ISLAND POND

Requested Action:

Impact 3,850 square feet of protected shoreland in order to reconstruct a residential structure including an addition, new foundation, and septic system, remove a concrete patio, and relocate an existing shed.

APPROVE PERMIT

Impact 3,850 square feet of protected shoreland in order to reconstruct a residential structure including an addition, new foundation, and septic system, remove a concrete patio, and relocate an existing shed.

With Conditions:

1. All work shall be in accordance with plans by Hancock Survey Associates, Inc. dated June 20, 2017 and received by the NH Department of Environmental Services (NHDES) on June 22, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 19.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. No native vegetation shall be removed from within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line in order to comply with RSA 483-B:9, V, (b), (2).
6. No heavy equipment shall be driven over the leach field located at 8 Springdale Lane Pelham, NH 03076 which is located adjacent to the existing access way to the site.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The proposed stormwater management structures shall be installed and maintained to effectively absorb and infiltrate stormwater.
12. Photographs documenting the construction of the proposed stormwater management structures shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction

07/10/2017 to 07/16/2017

regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

16. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-00535

VACHON, COREY

GILMANTON SHELLCAMP POND

Requested Action:

Impact 9,414.5 square feet of protected shoreland in order to replace the existing primary structure, construct a driveway and an attached walkway, and restore the natural woodland buffer.

AMENDMENT DESCRIPTION: Revised plans dated July 14, 2017 to relocate the well to the Southeast corner of the lot.

APPROVE AMENDMENT

Impact 9,414.5 square feet of protected shoreland in order to replace the existing primary structure, construct a driveway and an attached walkway, and restore the natural woodland buffer.

AMENDMENT DESCRIPTION: Revised plans dated July 14, 2017 to relocate the well to the Southeast corner of the lot.

With Conditions:

1. All work shall be in accordance with revised plans by Bryan L. Bailey Associates, Inc. dated July 14, 2017 and received by the NH Department of Environmental Services (NHDES) on May 4, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 17% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 2,698 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. All planting as shown on the approved plans shall be completed prior to the occupancy of the residential structure.
7. The plantings shall be inspected at the beginning and end of the growing season for a period of 3 years after initial plantings have been completed during which time any failed plantings shall immediately be replaced by the owner of the property.
8. At the completion of the 3 year monitoring period the Owner of the property shall submit a report including photographs of the planted buffer to the Department.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes.

07/10/2017 to 07/16/2017

The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

16. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-00585

ROBERT A K JEFFREY FAMILY 2011 TRUST

SUTTON BLAISDELL LAKE

Requested Action:

Impact 24,521 square feet (SF) of protected shoreland in order to raze the existing primary structure; build a studio/workshop within the same area; construct a new primary structure, driveway, sewage disposal system, well, paths and gazebo.

Amendment Description: Owner proposes to add a breezeway from the house to the garage.

APPROVE AMENDMENT

Impact 24,521 square feet (SF) of protected shoreland in order to raze the existing primary structure; build a studio/workshop within the same area; construct a new primary structure, driveway, sewage disposal system, well, paths and gazebo.

Amendment Description: Owner proposes to add a breezeway from the house to the garage.

With Conditions:

1. All work shall be in accordance with revised plans by Bristol, Sweet and Associates, Inc. dated June 16, 2017 and received by the NH Department of Environmental Services (DES) on June 19, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 8.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 19,057 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-01392

LAMBERT, JODI/PHILLIP

STARK SOUTH PONDS

07/10/2017 to 07/16/2017

Requested Action:

Impact 4,030 square feet of protected shoreland in order to remove and replace existing residential structure and construct a driveway.

APPROVE PERMIT

Impact 4,030 square feet of protected shoreland in order to remove and replace existing residential structure and construct a driveway.

With Conditions:

1. All work shall be in accordance with plans by York Land Services, LLC dated June 23, 2017 and received by the NH Department of Environmental Services (NHDES) on June 30, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 29.89% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. No native vegetation shall be removed from within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The proposed stormwater management structures shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed stormwater management structures shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
15. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-01468

VAILLANCOURT, LUC

BARNSTEAD LOWER SUNCOOK LAKE

Requested Action:

Impact 4,343 square feet of protected shoreland in order to Demolish existing cottage and construct a new residential structure, septic system, well, driveway, catch basin drywell, drip edges, deck, and restoration plantings.

07/10/2017 to 07/16/2017

APPROVE PERMIT

Impact 4,343 square feet of protected shoreland in order to Demolish existing cottage and construct a new residential structure, septic system, well, driveway, catch basin drywell, drip edges, deck, and restoration plantings.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering dated June 21, 2017 and received by the NH Department of Environmental Services (NHDES) on June 23, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 21% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Within 90 days the completion of the framing of the proposed structure the Permittee shall provide documentation, including photos, showing that all restoration plantings have occurred, to the NHDES Wetlands Bureau
6. Following planting, all planting areas shall be allowed to revert back to a natural state. The regeneration of ground cover shall not be suppressed by the use of bark mulch or other materials.
7. The plantings shall be inspected at the beginning and end of the growing season for a period of 3 years after initial plantings have been completed during which time any failed plantings shall immediately be replaced by the owner of the property.
8. At the completion of the 3 year monitoring period the Owner of the property shall submit a report including photographs of the planted buffer to the Department.
9. Native vegetation within an area of at least 526 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The proposed stormwater management structures shall be installed and maintained to effectively absorb and infiltrate stormwater.
15. Photographs documenting the construction of the proposed stormwater management structures shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
18. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
19. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-01543

MALONE TTEE, STEVEN

SANBORNTON WINNISQUAM LAKE

Requested Action:

Impact 4,832 square feet of protected shoreland in order to construct a garage, breezeway, and pave existing gravel parking.

APPROVE PERMIT

Impact 4,832 square feet of protected shoreland in order to construct a garage, breezeway, and pave existing gravel parking.

With Conditions:

1. All work shall be in accordance with plans by DMC Surveyors dated May 25, 2017 and received by the NH Department of Environmental Services (NHDES) on July 7, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 27.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 645 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The proposed stormwater management structures shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed stormwater management structures shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
15. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-01705

COBURN, ALLEN & MAUREEN

MEREDITH WINNISQUAM LAKE

Requested Action:

07/10/2017 to 07/16/2017

Impact 15,000 square feet (SF) of protected shoreland in order to replace the existing nonconforming primary structure with a new, larger residence located no closer to the shoreline than the existing residence. Construct a garage, connected to the residence by a raised walkway. Remove a section of driveway located within 50 feet of the shoreline. Modify the driveway located >50 feet from the shoreline, constructing 2,400 SF as permeable. Install a new septic system and storm water management.

APPROVE PERMIT

Impact 15,000 square feet (SF) of protected shoreland in order to replace the existing nonconforming primary structure with a new, larger residence located no closer to the shoreline than the existing residence. Construct a garage, connected to the residence by a raised walkway. Remove a section of driveway located within 50 feet of the shoreline. Modify the driveway located >50 feet from the shoreline, constructing 2,400 SF as permeable. Install a new septic system and storm water management.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated May 31, 2017 and received by the NH Department of Environmental Services (DES) on June 14, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 26.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 3,270 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
14. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-01709

MITCHELL, MARTIN/VIVIEN

MEREDITH LAKE WINNIPESAUKEE

Requested Action:

Impact 5,500 square feet (SF) of protected shoreland in order to construct a 26 ft. x 28 ft. garage attached to the existing residence. Reduce the driveway footprint, install storm water management, and restore unaltered area with the woodland buffer.

07/10/2017 to 07/16/2017

APPROVE PERMIT

Impact 5,500 square feet (SF) of protected shoreland in order to construct a 26 ft. x 28 ft. garage attached to the existing residence. Reduce the driveway footprint, install storm water management, and restore unaltered area with the woodland buffer.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated June 8, 2017 and received by the NH Department of Environmental Services (DES) on June 14, 2017.
2. The proposed septic system may not be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 27.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 1,910 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The proposed (stormwater management structures) shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed (stormwater management structures) shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
on slopes steeper than 3:1.
12. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-01719

299 VAUGHAN STREET LLC

PORTSMOUTH NORTH MILL POND

Requested Action:

Impact 34,800 square feet (SF) of protected shoreland in order to construct a hotel, first floor commercial space, second floor parking deck, and associated site improvements including utilities and a stormwater management system.

APPROVE PERMIT

Impact 34,800 square feet (SF) of protected shoreland in order to construct a hotel, first floor commercial space, second floor parking deck, and associated site improvements including utilities and a stormwater management system.

With Conditions:

1. All work shall be in accordance with plans by Tighe & Bond, Inc. dated March 1, 2017, revised June 6, 2017, and received by the NH Department of Environmental Services (DES) on June 15, 2017.
2. This Shoreland Permit is contingent on DES approval of the Alteration of Terrain Permit application.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 86.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The proposed stormwater management structures shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. Photographs documenting the construction of the proposed stormwater management structures shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-01721

MCKENNA, JUDITH

SUNAPEE SUNAPEE LAKE

Requested Action:

Impact 13,000 square feet or protected shoreland in order to reconstruction and expand an existing nonconforming residential structure, removal of an existing shed, reconfiguring the driveway, plantings within 50' and associated site disturbances.

APPROVE PERMIT

Impact 13,000 square feet or protected shoreland in order to reconstruction and expand an existing nonconforming residential structure, removal of an existing shed, reconfiguring the driveway, plantings within 50' and associated site disturbances.

With Conditions:

1. All work shall be in accordance with plans by Pellettieri Associates, Inc. dated February 27, 2017 and received by the NH Department of Environmental Services (NHDES) on June 16, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 21.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.

07/10/2017 to 07/16/2017

4. Native vegetation within an area of at least 1,935 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Within 90 days the completion of the framing of the proposed structure the Permittee shall provide documentation, including photos, showing that all restoration plantings have occurred, to the NHDES Wetlands Bureau
6. All planting areas as shown on the approved plans shall be planted with species listed in the NHDES Native Shoreland / Riparian Buffer Plantings List.
7. Following planting, all planting areas shall be allowed to revert back to a natural state. The regeneration of ground cover shall not be suppressed by the use of bark mulch or other materials.
8. The plantings shall be inspected at the beginning and end of the growing season for a period of 3 years after initial plantings have been completed during which time any failed plantings shall immediately be replaced by the owner of the property.
9. At the completion of the 3 year monitoring period the Owner of the property shall submit a report including photographs of the planted buffers to the Department.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The proposed dripline infiltration trenches shall be installed and maintained to effectively absorb and infiltrate stormwater.
15. Photographs documenting the construction of the proposed dripline infiltration trenches shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
16. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
19. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
20. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-01743

HEBERT, ARTHUR

MANCHESTER CRYSTAL LAKE

Requested Action:

Impact 3,628 square feet (SF) of protected shoreland in order to demolish the existing primary structure and carport and construct a new primary structure, which will be no closer than the existing structure to the reference line. The existing structures are within the shoreland buffer, including a shed, patio and deck will be removed.

APPROVE PERMIT

Impact 3,628 square feet (SF) of protected shoreland in order to demolish the existing primary structure and carport and construct a new primary structure, which will be no closer than the existing structure to the reference line. The existing structures are within the shoreland buffer, including a shed, patio and deck will be removed.

With Conditions:

1. All work shall be in accordance with plans by S & H Land Services, LLC dated June 14, 2017 and received by the NH Department of Environmental Services (DES) on June 16, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 42.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-01759

PAUL J KLORER REVOCABLE TRUST

ENFIELD MASCOMA LAKE

Requested Action:

Impact 13,642 square feet (SF) of protected shoreland in order to demolish the existing seasonal structure with a porch and deck and construct a single family residence with a porch and deck, add an attached garage, improve the parking area and install on-site wastewater disposal system.

APPROVE PERMIT

Impact 13,642 square feet (SF) of protected shoreland in order to demolish the existing seasonal structure with a porch and deck and construct a single family residence with a porch and deck, add an attached garage, improve the parking area and install on-site wastewater disposal system.

Waiver Granted: The requirement to restore rock and stump removal with pervious material within the Waterfront Buffer vegetation per RSA 483-B:9, V, (a), (2), (B) is waived.

With Conditions:

1. All work shall be in accordance with plans by Pathway Consulting, LLC dated June 15, 2017 and received by the NH Department of Environmental Services (DES) on June 19, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 19.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 1,620 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

07/10/2017 to 07/16/2017

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. In accordance with RSA 483-B:9, V, (i) The commissioner shall have the authority to grant waivers from the minimum standards of this section. Such authority shall be exercised if the commissioner deems that strict compliance with the minimum standards of this section will provide no material benefit to the public and have no material adverse effect on the environment or the natural resources of the state.
2. This property, identified as Lot 3 on Enfield Tax Map 28, is a non conforming structure within the waterfront buffer of the protected shorelands.
3. The project as proposed will result in the removal of rocks and stumps within the waterfront buffer of the protected shorelands in order to control runoff away from the primary structure and waterbody and therefore is subject to the requirements of RSA 483-B:9, V, (a), (2), (B).
4. The Applicant has submitted plans for stormwater management and a replanting plan as required per RSA 483-B: 9, V, (a), (2), (B).
5. The strict compliance with the minimum standards of RSA 483-B:9, V, (g), (3) will not provide material benefit to the public and will have no material adverse effect on the environment or the natural resources of the state and therefore, the requirements for a waiver to RSA 483-B:9, V, (a), (1), (B) have been met.

2017-01764

PIQUETTE, ARNOLD & MARILYN

TILTON WINNISQUAM LAKE

Requested Action:

Impact 1,440 square feet of protected shoreland in order to construct a detached garage and dripline infiltration trenches.

APPROVE PERMIT

Impact 1,440 square feet of protected shoreland in order to construct a detached garage and dripline infiltration trenches.

With Conditions:

1. All work shall be in accordance with plans by Bryan L. Bailey Associates, Inc. dated June 2017 and received by the NH Department of Environmental Services (NHDES) on June 19, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 26.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. No native vegetation shall be removed from within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

07/10/2017 to 07/16/2017

6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The proposed dripline infiltration trenches shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. Photographs documenting the construction of the proposed dripline infiltration trenches shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
14. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-01781

THIEME, CARL

DEERING DERRING REVERVOIR

Requested Action:

Impact 56 square feet of protected shoreland in order to remove an existing deck and construct an enclosed porch, install gutters, rain barrel(s) with stormwater overflow drains.

APPROVE PERMIT

Impact 56 square feet of protected shoreland in order to remove an existing deck and construct an enclosed porch, install gutters, rain barrel(s) with stormwater overflow drains.

With Conditions:

1. All work shall be in accordance with plans by Professional Land Services dated December 2, 1997, revised by Carl Thieme and received by the NH Department of Environmental Services (NHDES) on June 20, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 27.66% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Native vegetation within an area of at least 5,000 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The proposed rain barrels and overflow drains shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

07/10/2017 to 07/16/2017

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-01798

OCKERT & ELSABE VAN DER SCHIJFF 2005 FAMILY REV TR

SANBORNTON PLUMMER POND

Requested Action:

Impact 4,003 square feet of protected shoreland in order to construct a garage, septic system, reconfigure the driveway and construct a new driveway. Drip edges and a catch basin/dry well are to be installed.

APPROVE PERMIT

Impact 4,003 square feet of protected shoreland in order to construct a garage, septic system, reconfigure the driveway and construct a new driveway. Drip edges and a catch basin/dry well are to be installed.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated June 23, 2017 and received by the NH Department of Environmental Services (NHDES) on June 23, 2017.
2. The proposed septic system may not be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 18.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 2,206 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The proposed stormwater management structures shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed stormwater management structures shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
12. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

07/10/2017 to 07/16/2017

15. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

16. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-01805

DELVECCHIO, RALPH

ALTON LAKE WINNIPESAUKEE

Requested Action:

Impact 6,040 square feet of protected shoreland in order to construct a new driveway, narrow the existing driveway, and install a catch basin/drywell.

APPROVE PERMIT

Impact 6,040 square feet of protected shoreland in order to construct a new driveway, narrow the existing driveway, and install a catch basin/drywell.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated June 15, 2017 and received by the NH Department of Environmental Services (NHDES) on June 22, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 24.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Native vegetation within an area of at least 3,115 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The proposed dry well / catch basin shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. Photographs documenting the construction of the proposed dry well / catch basin shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
14. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

07/10/2017 to 07/16/2017

2017-01819

MONTGOMERY, ANNE

SUNAPEE SUNAPEE LAKE

Requested Action:

Impact 11,505 square feet of protected shoreland in order to construct an additions to the existing structures, expand an existing deck and patio, and install stormwater management features.

APPROVE PERMIT

Impact 11,505 square feet of protected shoreland in order to construct an additions to the existing structures, expand an existing deck and patio, and install stormwater management features.

With Conditions:

1. All work shall be in accordance with plans by Pellettieri Associates, Inc. dated June 20, 2017 and received by the NH Department of Environmental Services (NHDES) on June 22, 2017.
2. No additional bedrooms shall be constructed until the project is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 27.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 5,165 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The proposed stormwater management structures shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed stormwater management structures shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
15. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-01833

LECLAIR, RICHARD

NEW DURHAM JONES POND

07/10/2017 to 07/16/2017

Requested Action:

Impact 27,150 square feet of protected shoreland in order to construct a residential structure, garage, driveway, and drainage structures.

APPROVE PERMIT

Impact 27,150 square feet of protected shoreland in order to construct a residential structure, garage, driveway, and drainage structures.

With Conditions:

1. All work shall be in accordance with plans by Berry Surveying and Engineering dated June 8, 2017 and received by the NH Department of Environmental Services (NHDES) on June 23, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 15.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 4,756 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.